DETAILED ACTION

This supplemental action is intended to clarify the rejection of multiple dependent claim 3 and change the objection to claim 4 into a remark.

Regarding claim 4 the examiner would like to remark that although it states being "currently amended" the content being added was already added by the previous amendment. The correct status would have been "previously presented".

The examiner would also like to note that the "can also be used" phrasing is not a positive recitation of the limitation and renders is optional. A form similar to claim 9 may be used.

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2614.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 9th, 2008 has been entered.

Drawings

The drawings are objected to because the amended figure 5 does not match the disclosure. It appears the original was correct. The purpose of figure 5 is to show the "power control of CD Player" as found on the bottom of figure 5. The column on the left shows flag CDPWRF states 1 and 0. The top Row shows **listening states** "Broadcast Receiving" and "CD/**Cassette**/Line inputs (MD)". The figure is intended to show that only under the "Broadcast Receiving" state is the CD player turned off (and only the CD player not other devices). Please note that cassette is also misspelled.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3/1 and 4-6, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggers et al. (US 5692058).

Regarding claim 1, Eggers discloses an audio apparatus comprising:

a tuner unit (figure 1, source B, items 12d, and 12e) which can receive and demodulate a broadcast signal;

a digital reproducing unit (source A, item 11g) which can generate at least audio signals from digital data;

an operating unit (interface of figure 1); and

a control unit (control unit for system of figure 1) which switches between a first mode and a second mode in response to a manually selected predetermined operation of the operating unit,

wherein,

in the first mode, the power to the digital reproducing unit is on while the tuner unit is on and receiving the broadcast signal (source A CD and source B tuner sounding),

in the second mode, the power to the digital reproducing unit is inactive while the tuner unit is on and receives the broadcast (source B tuner sounding, source A muted or selecting source other than CD).

Although Eggers does not expressly disclose such, the examiner takes official notice that turning off sources such as CD players when not in use was well known in the art. The motivation to do so would have been to conserve power without reducing functionality. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to turn off the CD player when it is inactive.

Regarding claim 3/1, Eggers discloses wherein : the digital reproducing unit reproduces digital data recorded on a recording media (CD), and the tuner unit is capable of demodulating at least an AM or a FM broadcast signal (both AM and FM shown).

Regarding claim 4, Eggers discloses wherein : the predetermined operation for changing said control unit from said first mode to said second mode and can also be used for changing said control unit from said second mode to said first mode (push button 11i once for mute, once more for un-mute).

Regarding claim 5, Eggers discloses further comprising: a display unit for displaying information which indicates the current mode when said first mode and said second mode are switched by said control unit (position of switch 11i).

Regarding claim 6, Eggers discloses a method for controlling an audio unit comprising the steps of:

receiving a broadcast signal (figure 1, source B, items 12d, and 12e);

switching the audio unit between a first mode and a second mode in response to a predetermined operation of an operating unit (changing sources or muting CD);

activating or inactivating a digital reproducing unit based on the operational mode of the audio unit and in response to a predetermined operation (changing sources to and from CD on source A or muting source A) while the audio unit remains on and receiving said broadcast signal (source A sounding tuner).

Although Eggers does not expressly disclose such, the examiner takes official notice that turning off sources such as CD players when not in use was well known in the art. The motivation to do so would have been to conserve power without reducing

functionality. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to turn off the CD player when it is inactive.

Regarding claim 8, Eggers discloses wherein, the digital reproducing unit reproduces digital data recorded on a recording media (CD), and the tuner unit receives at least a AM or FM broadcast (both AM and FM shown).

Regarding claim 9, Eggers discloses wherein, the predetermined operation for changing the control unit from said first mode to said second mode and for changing said control unit from said second mode to said first mode are the same (push button 11i once for mute, once more for un-mute).

Regarding claim 10, Eggers discloses further comprising the step of, displaying information indicating the current mode on a display unit when said first mode and said second mode are switched by said control unit (position of switch 11i).

Claims 2 and 7 and 3/2/1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggers et al. (US 5692058) and Porambo et al. (US 5450624).

Regarding claims 2 and 7 Eggers does not disclose operation of at least two input keys.

Porambo discloses the use of simultaneous operation of at least two input keys to change modes (column 4 lines 49-55).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the mode changing method of Porambo in the system of Eggers. The motivation for doing so would have been insure sources are not changed or muted unwantedly. Therefore, it would have been obvious to combine Porambo with Eggers to obtain the invention as specified in claim 2 and 7.

Regarding claim 3/2/1, Eggers discloses wherein : the digital reproducing unit reproduces digital data recorded on a recording media (CD), and the tuner unit is capable of demodulating at least an AM or a FM broadcast signal (both AM and FM shown).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas J. Suthers whose telephone number is (571)272-0563. The examiner can normally be reached on Monday-Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Douglas J Suthers/
Examiner, Art Unit 2614

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614